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FISCAL IMPACT STATEMENT

LS 6861

BILL NUMBER: HB 1318

NOTE PREPARED: Jan 6, 2012

BILL AMENDED:

SUBJECT: Use of restraints and seclusion in school.

FIRST AUTHOR: Rep. Porter

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: *Parental Notification:* This bill requires parental notification when restraint or seclusion is imposed on a student.

Reporting: It imposes reporting requirements for school corporations.

Training: It requires training for certain school staff members in the use of positive behavior intervention and support.

Effective Date: July 1, 2012.

Explanation of State Expenditures: The bill directs the State Board of Education to adopt rules to require mandatory training and continuing education for staff members in the use of restraint and seclusion techniques. The cost is expected to be minimal.

Explanation of State Revenues:

Explanation of Local Expenditures: *Summary:*

(1) *Training:* If suitably trained individuals are not already on staff, school corporations would have to incur costs of either employing a sufficient number of personnel or training personnel already on staff. The cost of providing the additional training for school staff is currently unknown at this time. Assuming that each school would have at least one trained individual assigned, the total cost for initial and recurrent training could be substantial.

(2) *Reporting:* The cost associated with reporting requirements to the Department of Education and parental would be minimal. The information required by this bill could be incorporated into the annual performance report each corporation forwards to the department.

Additional Information:

Training: A school staff member authorized to apply the techniques outlined in this bill must be certified in the use of these techniques under standards set by the State Board of Education.

Parental Notification: Schools must inform parents of the policies on physical restraint and seclusion of students. Additionally, schools are required to notify the parents of a student who, because of the student's behavior, had to be physically restrained or placed alone in a room. The staff members who were involved in the incident must meet with the parents as soon as practical in order to discuss the behavior of the student and to decide what to do if similar incidents occur in the future.

Reporting: By July 1 of each year, each school corporation shall submit a report to the department of education detailing information on the number of incidents in which physical restraint or seclusion was applied, the race, gender and grade level of the student involved, and whether the student had a disability.

Explanation of Local Revenues:

State Agencies Affected: State Board of Education, Department of Education

Local Agencies Affected: Schools

Information Sources:

Fiscal Analyst: David Lusan, 317-232-9592.